



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

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Order Filed on April 25, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:  
**Carmelo Scalia,**

**Debtor.**

**Stella Ann Scalia,**

**Joint Debtor.**

Case No.: 17-25081-VFP

Chapter: 13

Hearing Date: April 21, 2022

Judge: Vincent F. Papalia

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF  
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby ORDERED.

**DATED: April 25, 2022**

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

**Honorable Vincent F. Papalia**  
United States Bankruptcy Judge

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Secured Creditor: U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MASTR  
ADJUSTABLE RATE MORTGAGES TRUST 2007-1, MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2007-1

Secured Creditor's Counsel: Robertson, Anschutz, Schneid, Crane & Partners, PLLC

Debtors' Counsel: Ronald I. LeVine

Property Involved ("Collateral"): 77 Humphrey Avenue, Bayonne, NJ 07002

Relief sought:      ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1.      Status of post-petition arrearages:

■ The Debtors have brought the account current pursuant to the Motion for Relief from Stay filed on March 17, 2022.

2.      Beginning on 04/01/2022, regular monthly mortgage payments shall continue to be made in the amount of \$2,910.16. This amount is subject to change based on escrow and/or interest rate adjustments.

3.      Payments to the Secured Creditor shall be made to the following address(es):

■ Regular monthly payment: PHH Mortgage Services  
Mailstop SBRP  
PO Box 5469  
Mt. Laurel, NJ 08054

4.      In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

- Secured Creditor is awarded attorney fees of \$350.00 and costs of \$188.00 associated with this Motion. The fees and costs are payable directly to Secured Creditor outside of the Chapter 13 Plan within thirty (30) days of entry of this Order.
- A Notice of Postpetition Mortgage Fees, Expenses, and Charges in the amount of \$500.00 was filed by Secured Creditor on April 6, 2018 under Claim 4-1 on the Claims Register. This fee shall be paid directly to Secured Creditor outside of the Chapter 13 Plan within thirty (30) days of entry of this Order.

The undersigned hereby consent to the form and entry of the foregoing order.

  
Ronald I. LeVine, Esquire.  
Attorney for Debtors  
Date:

/s/ Shauna Deluca  
Shauna Deluca, Esquire.  
Attorney for Secured Creditor  
Date: April 8, 2022

In re:  
Carmelo Scalia  
Stella Ann Scalia  
Debtors

Case No. 17-25081-VFP  
Chapter 13

District/off: 0312-2  
Date Rcvd: Apr 26, 2022

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 28, 2022:**

**Recip ID** **Recipient Name and Address**  
db/jdb + Carmelo Scalia, Stella Ann Scalia, 77 Humphrey Avenue, Bayonne, NJ 07002-2336

TOTAL: 1

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 28, 2022

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 26, 2022 at the address(es) listed below:

Name	Email Address
Aleisha Candace Jennings	on behalf of Creditor U.S. Bank National Association ajennings@raslg.com
Denise E. Carlon	on behalf of Creditor Toyota Lease Trust dcarlon@kmllawgroup.com bkgroup@kmllawgroup.com
James R. Ottobre	on behalf of Creditor THE PROVIDENT BANK jottobre@bournenoll.com
Kevin Gordon McDonald	on behalf of Creditor Toyota Lease Trust kmcdonald@kmllawgroup.com bkgroup@kmllawgroup.com
Kevin M. Buttery	on behalf of Creditor U.S. Bank National Association kbuttery@moodklaw.com
Laura M. Egerman	on behalf of Creditor U.S. Bank National Association bkyecf@rasflaw.com bkyecf@rasflaw.com;legerman@rasnj.com

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Apr 26, 2022

Form ID: pdf903

Total Noticed: 1

Marie-Ann Greenberg

[magecf@magtrustee.com](mailto:magecf@magtrustee.com)

Ronald I. LeVine

on behalf of Debtor Carmelo Scalia [ronlevinelawfirm@gmail.com](mailto:ronlevinelawfirm@gmail.com) [irr72645@notify.bestcase.com](mailto:irr72645@notify.bestcase.com)

Ronald I. LeVine

on behalf of Joint Debtor Stella Ann Scalia [ronlevinelawfirm@gmail.com](mailto:ronlevinelawfirm@gmail.com) [irr72645@notify.bestcase.com](mailto:irr72645@notify.bestcase.com)

Shauna M Deluca

on behalf of Creditor U.S. Bank National Association [sdeluca@hasbanilight.com](mailto:sdeluca@hasbanilight.com) [hllawpc@gmail.com](mailto:hllawpc@gmail.com)

Sindi Mncina

on behalf of Creditor U.S. Bank National Association [smncina@raslg.com](mailto:smncina@raslg.com)

U.S. Trustee

[USTPRegion03.NE.EDF@usdoj.gov](mailto:USTPRegion03.NE.EDF@usdoj.gov)

TOTAL: 12